

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New MexicoUnited States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of Court

United States of America

v.

Carl Weatherman
Year of birth 1982Case No. **25mj1037**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 24, 2024 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 2252A(a)(5)(B),
2252A(b)(2), and 2256

Possession of Child Pornography

This criminal complaint is based on these facts:

See Affidavit, attached hereto and incorporated herein.

☒ Continued on the attached sheet.

Complainant's signature

Jennifer Dunlavey, Special Agent

Printed name and title

Sworn to me telephonically and signed electronically.

Date: May 1, 2025

Judge's signature

City and state: Albuquerque, New Mexico

Laura Fashing, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE ARREST OF:

Carl Weatherman (YOB 1982)

Case No. _____

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Jennifer Dunlavey, being duly sworn, depose and say:

INTRODUCTION AND BACKGROUND OF THE AFFIANT

1. I make this Affidavit in support of a criminal complaint and arrest warrant charging Carl Weatherman, year of birth 1982 (WEATHERMAN), with a violation of 18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2), and 2256, Possession of Child Pornography.

2. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed since June 2023. I am recognized as a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure ("FRCP") 41(a)(2)(C). I am currently assigned to the Child Exploitation Human Trafficking Task Force ("CEHTTF") in Albuquerque, NM, where my responsibilities include investigating child exploitation and child sex trafficking offenses. I have previously been assigned to the Counterterrorism and Transnational Organized Crime unit within the FBI. I am authorized to investigate violent crimes to include child pornography offenses. I have received training from other law enforcement officers in the investigation and enforcement of federal child pornography and exploitation laws. I have also received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of search warrants and seizures, computer evidence identification, computer evidence seizure and processing, and various other criminal laws and procedures.

3. The statements in this Affidavit are based on my own investigation, training, and experience, as well as information from other law enforcement officers and reliable sources. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support obtaining a criminal complaint against WEATHERMAN, for a violation of 18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2), and 2256, Possession of Child Pornography.

RELEVANT LEGAL DEFINITIONS

4. The following terms are relevant to this Affidavit in support of this application for a criminal complaint:

a. *Child Pornography*: The term “child pornography” is defined at 18 U.S.C. § 2256(8). It consists of visual depiction of sexually explicit conduct where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct), as well as any visual depiction, the production of which involves the use of a minor engaged in sexually explicit conduct. See 18 U.S.C. §§ 2252 and 2256(2), (8).

b. *Minor*: The term “minor” means any person under the age of eighteen years. See 18 U.S.C. § 2256(1).

c. *Sexually Explicit Conduct*: The term “sexually explicit conduct” means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, or oral-

anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any persons. See 18 U.S.C. § 2256(2)

SUMMARY OF PROBABLE CAUSE

5. On August 19, 2016, WEATHERMAN was sentenced in the District of New Mexico, following conviction for Receipt of a Visual Depiction of Minors Engaged in Sexually Explicit Conduct, to 75 months of imprisonment followed by 10 years of supervised release (case number 14-CR-1550-MV). On that same date, the Court imposed the following special conditions as part of WEATHERMAN's supervised release:

The defendant must submit to a search of his person, property, or automobile under his control to be conducted in a reasonable manner and at a reasonable time, for the purpose of detecting weapons, illegal substances, and any illegal contraband including grooming items at the direction of the probation officer. He must inform any resident that the premises may be subject to a search.

The defendant shall consent to the United States Probation Office conducting periodic unannounced examinations of his/her computer(s), hardware, and software which may include retrieval and copying of all data from his/her computer(s). This also includes the removal of such equipment, if necessary, for the purpose of conducting a more thorough inspection.

The defendant shall consent, at the direction of the United States Probation Officer, to having installed on his/her computer(s), any hardware or software systems to monitor his/her computer use. The defendant understands that the software may record any and all activity on his/her computer, including the capture of keystrokes, application information, Internet use history, e-mail correspondence, and chat conversations. Monitoring will occur on a random and/or regular basis. The defendant further understands that he/she will warn others of the existence of the monitoring software placed on his/her computer.

14-CR-1550-MV, Doc. 41.

6. Following completion of his term of incarceration, WEATHERMAN's term of supervised release commenced. On or about January 24, 2024, pursuant to WEATHERMAN's conditions of supervised release, the United States Probation Office ("USPO") reviewed

WEATHERMAN's computer data captured pursuant to the computer monitoring program used by the USPO. During this review, it was discovered WEATHERMAN had engaged in unauthorized use of an external hard drive that had not been reported to the USPO. The USPO also located file folders with labels such as "goodshit – American". Inside, the USPO observed multiple images consistent with child pornography, including an image of minor nude male children and one image of a male child with an adult male penis near his stomach.

7. Following receipt of this information, the USPO referred the matter to law enforcement. On or about January 24, 2024, the FBI sought and obtained a federal search warrant for WEATHERMAN's residence in Albuquerque, NM. WEATHERMAN's parents reside in the main house at the address, and WEATHERMAN resides in a small casita on the property. The search warrant was executed on the same date, January 24, 2024. WEATHERMAN was located on scene inside the casita. During the search, multiple electronic items were at the location and seized, to include a USB storage device, which was found buried in the yard behind the casita, and a laptop, which was found in the casita occupied by WEATHERMAN.

8. The USB was analyzed by the New Mexico Regional Computer Forensic Laboratory (RCFL). The USB contained software with a license name listed as Carl Weatherman. Several files contained in screenshots located within the data reviewed by the USPO were also found on the physical USB. Two of the file folder paths visible within the data reviewed by the USPO were also located on the USB, including "goodshit – American". The folders contained images and videos consistent with child pornography. The examination identified approximately 7,557 files of potential child pornography material and 1,227 files consistent with child erotica. Descriptions of representative child pornography files are as follows:

a. - *1The hottest boy ever.wmv* – a video 38:21 in length of a minor male, approximately 9 to 13 years old based on body size, sitting on a bed with the camera focus mostly on his face and chest. The boy moves his shirt over his head, so his chest is visible and masturbates with his penis visible.

b. (202) *89.asf* – a video 5:09 in length that begins with a minor male, approximately 8 to 12 years old, based on body size and lack of pubic hair, nude, lying on a bed with his legs spread apart so his scrotum and anus. The male is holding his penis, so it is not visible and inserting a finger into his anus.

c. *Lesha 13yo & Roma.mp4* – a video 4:32 in length of two minor males, approximately 10 to 14 years old based on body size and lack of pubic and body hair, nude, lying on the blanket outside. One male appears to be penetrating the anus of the other male with his penis from behind. The person filming changes position, so the anus and scrotum of the first male is visible while he is on top of the second male.

9. The laptop that was seized from the property was encrypted and initially could not be accessed without the password or encryption key. In connection with this investigation, four email addresses associated with WEATHERMAN were identified through open-source research. At least one of these emails was provided through Microsoft and was the subject of a search warrant. On October 18, 2024, Microsoft Inc. returned information in connection with the search warrant. Within the returned information, law enforcement located encrypted keys associated with WEATHERMAN's email addresses.

10. The encryption key was used to access the encrypted laptop seized during the search on January 24, 2024. The laptop had been used to access cloud-based file sharing platforms. The laptop user account identified the name "carls" and the email address associated with owner was

listed as carlweatherman@[REDACTED], one of WEATHERMAN's email addresses. A subfolder located on the laptop was named "carlw."

11. The examination identified 1,792 files consistent with child pornography and 545 files consistent with child erotica. Descriptions of representative child pornography files located on the laptop are as follows:

a. *art.jpg* – An image of a minor male, approximately 8 to 12 years old based on body size and lack pubic and body hair, nude, lying on a bed with his back propped up on a pillow. The male's left hand is near his erect penis and he is waving with his other hand. The words "omegle.com" are located in the bottom left corner of the image.

b. *art (1).jpg* – An image of a minor male, approximately 9 to 13 years old based on body size who appears to have his mouth over the penis of another minor male, approximately 9 to 13 years old based on body size and lack of pubic hair, who is lying on his back. Both males appear to be nude and the words "omegle.com" are in the bottom left corner of the image.

c. *e05a5156f4d18855.jpg* – An image of two minor males, approximately 7 to 11 years old, based on body size, lack of pubic development, and lack of pubic hair, both nude. One male is lying on a couch with an erect penis. The second male is on his hands and knees, straddling the other male's face so his penis is near the mouth of the male lying on his back.

12. For the reasons stated in this Affidavit, I have probable cause to believe that WEATHERMAN has committed an offense in violation of 18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2), and 2256, Possession of Child Pornography.

INTERSTATE NEXUS

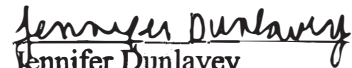
13. I believe the element of “in or affecting interstate or foreign commerce” is satisfied for a violation under 18 U.S.C. § 2252A because WEATHERMAN utilized devices that previously moved in interstate commerce. The USB is more fully described as a 1TB SanDisk thumb drive, Model Dual Drive, bearing serial number CA230458022ZSDDDC4. Based on my training and experience, the USB drives are not manufactured in New Mexico. The laptop is more fully described as an HP laptop bearing serial number 5CG33214C8, containing an internal 512 GB Samsung solid state drive (SSD), Model MZ-VL45120, bearing serial number S6B5NU2W24435. The internal hard drive was manufactured in Vietnam. As a result, both the USB drive and the laptop/internal hard drive, had to move in interstate and/or foreign commerce prior to WEATHERMAN’s use of these items in New Mexico.

CONCLUSION

14. Based on the above information, I have probable cause to believe that WEATHERMAN violated 18 U.S.C. §§ 2522A(a)(5)(B), 2252A(a)(2) and 2256, Possession of Child Pornography.

15. This affidavit has been reviewed by Assistant United States Attorney Sarah Mease.

16. I declare that the foregoing is true and correct to the best of my knowledge.


Jennifer Dunlavey
FBI Special Agent

Electronically submitted and telephonically
sworn on this 1st of May 2025:


LAURA FASHING
UNITED STATES MAGISTRATE JUDGE